

REMARKS

By this Amendment, Applicant has canceled claims 1-10, without prejudice or disclaimer, and has added new claims 14-21. Entry and consideration of this Amendment are respectfully requested.

In addition, Applicant provides the following comments regarding claims 11-15 in view of U.S. Patent 3,655,145 to Olsen ("Olsen").

A. Claim 11

Applicant submits that claim 11 is patentable over Olsen. For example, claim 11 recites that a magnetic tape drawing-out port is provided on a side surface, apart from a corner, and between a screw hole and a reference hole. The reference hole is formed in a lower surface of a cartridge case, and is located in a vicinity of a central portion of the cartridge case.

In the parent Application, U.S. Application No. 10/050,112, the Examiner maintains that opening 56 discloses the claimed drawing-out port, threaded wells 32 disclose the claimed screw hole, and slot 88 discloses the claimed reference hole. However, as shown in Figs. 1 and 6 of Olsen, slot 88 is not formed in a lower surface of cartridge case 12, as recited by claim 11. Rather, Olsen discloses that slot 88 is disposed in a side surface, i.e., forward wall 26 (Fig. 1; col. 2, lines 1-3; col. 3, lines 21-24). Further, since slot 88 is formed in a side surface, i.e., forward wall 26, slot 88 is not formed in a vicinity of a central portion of the cartridge case 12, as recited by claim 11. Rather, slot 88 appears to only be in a central portion of the sidewall 26.

Accordingly, Applicant submits that claim 11 is patentable over the cited reference.

B. Claim 12

Since claim 12 is dependent upon claim 11, Applicant submits that such claim is patentable at least by virtue of its dependency.

C. Claim 13

Since claim 13 is dependent upon claim 11, Applicant submits that such claim is patentable at least by virtue of its dependency.

D. Claim 14

Applicant submits that claim 14 (previously claim 15 in the parent Application 10/050,112), is patentable over the cited reference. For example, claim 14 recites that a drawing-out member is a leader block which fits in the drawing-out port and forms a part of a side wall of the cartridge case when the leader block is in a state of disuse.

In the parent Application, U.S. Application No. 10/050,112, the Examiner maintains that leader 74 of Olsen discloses the claimed drawing-out member (Fig. 4; col. 2, lines 52-54). However, assuming *arguendo* that leader 74 discloses a drawing-out member, the leader 74 does not fit in the forward wall 26 to form a part of the forward wall, when it is not in use. For

example, the reference discloses that leader 74 projects axially from the end 76 of web 14 (col. 2, lines 52-54). Following recoil of web 14, an end portion 87 of the leader 74 remains outside of cartridge case 12, and may be tucked into slot 88 if so desired (col. 3, lines 21-24). However, such portions fail to form a part of forward wall 26, as required by claim 15. Therefore, Applicant submits that claim 14 is patentable over the cited reference.

In addition, since claim 14 is indirectly dependent upon claim 11, Applicant submits that such claim is patentable at least by virtue of its dependency.

E. Claim 15

Since claim 15 (previously claim 19 in the parent Application 10/050,112) contains features which are analogous to the features recited in claim 11, Applicant submits that claim 15 is patentable over Olsen for at least analogous reasons as presented above.

In regard to newly added claims 16-21, Applicant submits that such claims are added to provide more varied protection for the present invention. Applicant submits that such claims are patentably distinct over the cited reference.

PRELIMINARY AMENDMENT
Continuation of Application No.: 10/050,112

Attorney Docket No.: Q80239

Conclusion

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.


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